

December 22, 2010  
Elisabeth A. Shumaker  
Clerk of Court

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT**

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JUSTINIANO RAMIREZ;  
JANYA KARINA RAMIREZ;  
ANDINO PAUL RAMIREZ;  
DIVINA ROCHELLE RAMIREZ;  
LUIS CARLOS RAMIREZ,

Petitioners,

v.

ERIC H. HOLDER, JR.,  
United States Attorney General,

Respondent.

No. 10-9524  
(Petition for Review)

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**ORDER**

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Before **TACHA, ANDERSON**, and **O'BRIEN**, Circuit Judges.

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Petitioners filed this petition seeking review of an order of the Board of Immigration Appeals (BIA) dated April 1, 2010, denying their applications for asylum, withholding of removal and protection under the Convention Against Torture. On October 14, 2010, while the BIA's order was on review, the BIA reopened its decision and remanded for further proceedings before the immigration judge concerning petitioners' eligibility for relief under Section 203 of the Nicaraguan Adjustment and Central American Relief Act (NACARA), Pub.

L. No. 105-100, 111 Stat. 2160, 2193-2201. The Board’s decision provided that “[t]he record is reopened pursuant to 8 C.F.R. § 1003.2(a), and remanded to the Immigration Judge for further proceedings . . . *and for the entry of a new decision.*” BIA order of October 14, 2010, at 2 (emphasis added).

The Respondent has moved to dismiss the petition for review, arguing that this court no longer has jurisdiction predicated on a final order of removal.

Finding the motion well-taken, the panel orders that the petition for review be and hereby is DISMISSED.

Entered for the Court,

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", followed by a horizontal flourish line.

ELISABETH A. SHUMAKER, Clerk